

# MANDATE

E.D.N.Y.-Bklyn  
11-cv-3108  
Townes, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 23<sup>rd</sup> day of November, two thousand eleven,

Present:

Rosemary S. Pooler,  
Barrington D. Parker,  
Raymond J. Lohier, Jr.,  
*Circuit Judges.*

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Katosh Pantoliano,

*Plaintiff-Appellant,*

v.

11-3234-pr

City of New York, *et al.*,

*Defendants-Appellees.*

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Appellant, *pro se*, moves for *in forma pauperis* status and to withdraw this appeal. This Court has determined *sua sponte* that it lacks jurisdiction over this appeal because a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291. *See Coopers & Lybrand v. Livesay*, 437 U.S. 463, 467 (1978). Upon due consideration, it is hereby ORDERED that the appeal is DISMISSED. It is further ORDERED that Appellant's motions are DENIED as moot.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  


  


MANDATE ISSUED ON 12/28/2011